

**REMARKS**

By the present amendment claims 1-6, 15 and 16 have been amended to clarify the invention.

Claims 1-16 remain pending in the application.

In the Office Action, the Examiner objected to the drawings under 37 CFR 1.83(a).

Claims 1-3 were objected to because of informalities.

Claims 1 and 3-6 were rejected under 35 U.S.C. §112, second paragraph as being indefinite.

Claims 1-16 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication Number 2001/0055127 A1 to Wakabayashi.

In view of the arguments that follow, Applicant respectfully traverses the Examiner's rejection of claims 1-16.

**Drawing Objections**

The Examiner objected to the drawings under 37 C.F.R. §1.83(a) by asserting that the drawings must show every feature of the invention specified in the claims. The Examiner asserted that the image data output key must be shown or the feature canceled from the claim.

Applicant respectfully submits that claim 1 has been amended to delete the feature "key." Accordingly, the drawings no longer require the feature and the objection to the drawings should be withdrawn.

### **Claim Objections**

The Examiner objected to claims 1-3 because of informalities.

With respect to claim 1, the Examiner asserted that the phrase "a function key including an image data output key which is" should be changed to "a function key which is." Applicant respectfully submits that claim 1 has been amended to clarify the invention and to change "image data output key" to --image data output--. Accordingly, the objection to the claim should be withdrawn.

With respect to claims 2 and 3, the Examiner asserted that the word "includes" should be changed to read "such as." Applicant respectfully submits that claims 2 and 3 have been amended to recite that a --function key panel-- includes --mail function keys--. Accordingly, the objection of claims 2 and 3 should be withdrawn.

### **Rejection Under 35 U.S.C. § 112, second paragraph**

The Examiner rejected claims 1 and 3-6 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 1, the Examiner asserted that it was unclear whether the function key is actually a "key," or a "section of a panel" that includes keys and is not pressed. The Examiner also asserted that it was unclear as to whether the function key and image data output key are pressed together with the user key and whether function key 22 was actually pressed.

Applicant respectfully submits that claim 1 has been amended to clarify the invention by changing "function key" to --function key panel--. Accordingly, the rejection to claim 1 should be withdrawn.

With respect to claims 3 and 4, the Examiner asserted that the limitation "the mail function key" has insufficient antecedent basis. Applicant respectfully submits that claims 3 and 4 have been amended to change "the function key" to --one of the mail function keys-- in order to have sufficient antecedent basis. Accordingly, the rejection of claims 3 and 4 should be withdrawn.

With respect to claims 5 and 6, the Examiner asserted that the limitation "the same" has insufficient antecedent basis. Applicant respectfully submits that claims 5 and 6 have been amended to change "the same" to --the mail confirmation key-- in order to have sufficient antecedent basis. Accordingly, the rejection of claims 5 and 6 should be withdrawn.

**Rejection Under 35 U.S.C. §102(e)**

The Examiner rejected claims 1-16 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication Number 2001/0055127 A1 to Wakabayashi.

Applicant respectfully submits that the U.S. filing date of Wakabayashi is December 28, 2000, while the present application has a foreign priority date of January 28, 2000. Applicant respectfully submits that, in accordance with MPEP § 2136.03, an applicant is entitled to his or her own 35 U.S.C. §119 priority date which is earlier than the filing date of a cited reference.

Applicant respectfully submit herewith an English translation of Japanese Patent Application Number 2000-20478 in order to perfect the claim to foreign priority benefit in order to form the basis for the right of priority. Accordingly, the rejection of claims 1-16 should be withdrawn because Wakabayashi does not qualify as prior art under 35 U.S.C. §102(e).

**Conclusion**

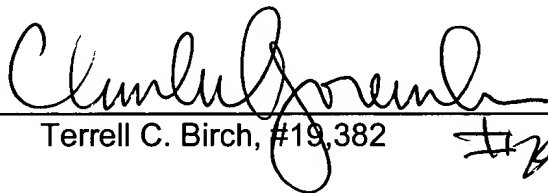
In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Demetra R. Smith-Stewart (Reg. No. 47,354), to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a two (2) month extension of time for filing a reply in connection with the present application, and the required fee of \$450.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH &, BIRCH, LLP

By:   
Terrell C. Birch, #19,382

*ppp*  
TCB/DSS/kmr/lab  
1247-0446P

P.O. Box 747  
Falls Church, VA 22040-0747  
703-205-8000

Attachments: English translation of Japanese Patent Appl. No. 2000-20478